

MINUTES OF THE JOINT EXECUTIVE APPROPRIATIONS COMMITTEE
October 19, 2004 at 1:00 P.M.
Room W135, State Capitol Complex

Members Present: Sen. Leonard Blackham, Co-chair
 Rep. Ron Bigelow, Committee Co-chair
 Sen. Ron Allen
 Sen. Mike Dmitrich
 Sen. Peter Knudson
 Pres. Al Mansell
 Sen. John Valentine
 Sen. Michael Waddoups
 Rep. Jeff Alexander
 Rep. Greg Curtis
 Rep. Brent Goodfellow
 Rep. Patricia Jones
 Rep. Brad King
 Rep. Karen Morgan
 Speaker Martin Stephens
 Rep. Michael Styler
 Rep. Rebecca Lockhart, Vice-Chair
 Sen. Bill Hickman, Vice-Chair

Members Absent:

Members Excused: Sen. Gene Davis
 Sen. Karen Hale

Staff Present: John Massey, Legislative Fiscal Analyst
 Michael Kjar, Deputy Director, Fiscal Analyst
 Lynette Erickson, Secretary

List of Others Present on File

A list of visitors and a copy of handouts are filed with the committee minutes.

Committee Co-Chairman Ron Bigelow called the meeting to order at 1:20 p.m.

1. Call to Order - Approval of Minutes

MOTION: Sen. Blackham made a motion to approve the minutes of September 14, 2004.
The motion passed unanimously with Senators Knudson, Waddoups, Davis and Hale and

Reps. Alexander, Stephens and Styler absent at the time of voting.

2. Federal Funds Report

Sophia DiCaro, Assistance Management Officer, Governor's Office of Planning and Budget (GOPB) presented the list of Federal Assistance Applications Requiring Legislative Action for September. Brad Johnson, Director, Division of Environmental Response and Remediation, clarified that the funding obtained from their grant would be used to do clean up work and hire necessary contractors to do so. Sen. Valentine asked that the grant for the Attorney General's Office for temporary staff be held and put on a future agenda until clarification could be received if benefits were included for these positions. Rep. King suggested a stipulation be made for the subcommittee to track this and that these job position announcements be worded such that it is apparent they are for a five year job. Ms. DiCaro said they can go ahead and apply and if it isn't approved, the money can be given back. Sen. Hickman asked if it could be put off for a month to get these questions answered. Ms. DiCaro answered in the affirmative.

Steve Jardine, GOPB, referred the committee to a second handout, the FY06 Budget Impact from the Change in the Federal Medical Assistance Percentage (FMAP) saying that the federal share of the program costs for Medicaid will go down in 2006 by \$11.7 million and the state will have to make up difference in order to maintain the various programs at their current levels.

MOTION: Sen. Knudson made a motion that with the exception of the Attorney General's Office grant application, the list of grant applications, renewals and revisions be approved. The motion passed unanimously with Speaker Stephens absent at the time of voting.

3. Utah Homeland Security Overview

A report was made to the committee by Bill Greer and Gary Ricks on Homeland Security in Utah. They said there have been considerable increases in federal funding over the last three years and a number of temporary positions have been created and have been advertised for certain time periods because it is not known how long the federal funds will continue. The Utah Departments of Public Safety and Health were given the primary responsibility of administering homeland security by the 2002 Legislature. They reviewed departmental responsibilities, programs and funding as detailed in the packet. Over the last five years, the state has received over \$58 million dollars from the federal government with \$14 million going to state agencies and \$43 million to local recipients. Mr. Massey clarified there has been no new General Fund money going into this program.

Sen. Hickman questioned if there had been any problems filling the temporary positions to which a

representative from department said they had not had any problem due to our current economy.

Sen. Waddoups requested more breakdown and detail for the listed expenditures on page 18. Dr. Dick Melton, Deputy Director, Utah Department of Health responded that the current expenses category included costs associated with gathering major data information from doctors and hospitals, purchasing software and equipment to share data with other government agencies and purchasing bioterrorism agents which are expensive to keep current. Sen. Waddoups commented that it doesn't seem to make sense that software is purchased by individual states when it is for a national program. Efforts by the Departments of Health and Public Safety are continuing to enhance Utah's security.

4. Report from the State Office of Education

Patrick Ogden, Assistant Superintendent, State Office of Education, opened this presentation by saying they had invited their people working closely with these programs to address the committee.

Use of Funds for On-line Testing

Rick Gaisford and Kathy Webb gave an update on how funds appropriated for on-line testing have been allocated and district plans for implementation. They said all 40 districts and charter schools have declared their intent to participate and they are waiting for final student counts and then money will start to flow to districts. They used a formula of 25% of the money was divided equally between districts and 75% was allocated on a per pupil basis. It has been determined the money will be used as follows: 61% for computers, 23% for networking wiring and equipment, 12% for computer technicians, 3% for software and 1% for professional development with a lot more district money used for development. All districts have submitted a plan for implementation as summarized on a handout, "SB 51 Online Testing Projections - Spring 2005". Ms. Webb highlighted four of the district's plans along with problems they have encountered and how and where they are focusing their program. Mr. Gaisford emphasized that they will need sustained financial support for continuation of this program.

Mr. Gaisford and Ms. Webb responded to questions from the Rep. Morgan on how the \$5 million appropriation had been used specifically, the amount of ongoing or future money needed, equipment needs and projected dates for results. Rep. Morgan stressed that one of the reason for online testing was to get quicker results.

Sen. Waddoups inquired which tests and how many tests would be given and made an observation from the information that some districts are really into it and plan to do a lot of testing while other districts are doing much less. Ms. Webb responded there are different levels of implementation and some districts are waiting to see what happens in other districts.

In response to Pres. Mansell's question regarding data manipulation, Mr. Ogden explained the process after tests are given. Once raw data is collected, it has to be scaled or equated and they also insure the demographics are correct. He said they have set a internal goal to accelerate test results no later than the end of summer.

Rep. Curtis asked about the correlation between information on the blue handout of implementation plans and the ivory handout showing allocation of funding to districts. His observation was that some districts were spending a lot of money to test fewer students than other districts. He pointed out one district's proposal would cost \$1,200 per student test and that seems pretty high.

Co-chair Blackham reminded that this program was instigated for teachers to have immediate results from tests, not have it take from June to August to get results. This was to give teachers a good evaluation tool so they would know where improvement is needed immediately. He asked if they thought schools had missed the objective of this program emphasizing that the real purpose was not to take two summer months for results, but to give teachers immediate results so they know where to increased their teaching efforts. Mr. Gaisford responded that they understand that clearly and the data from end of year testing can be used by the next teacher too. However, districts are also keenly aware that the equipment used for testing may also be used for other purposes. Rep. Alexander commented regarding the importance of getting test scores back early during the school year.

Superintendent Patty Harrington, State Office of Education, explained what scaled testing means. She pointed out that teachers can get raw scores quickly, but scaled results take longer. For evaluation purposes scaled scores give a better picture and make more sense. Rep. King commented that this illustrates why we have such a hard time with testing. There are so many different methods of testing and ways to reflect results that it becomes very complicated and tests are given for different purposes and to get different results.

Sen. Waddoups gave credit to those districts with strong implementation plans and those planning to administer a larger number of tests with the allocation they have been given and as listed on blue handout. Ms. Webb said they would, with help from the districts, provide the committee with more detailed plans and projections and scale this information statewide district by district.

Governor's Reading Initiative - District Actions to Date

Christine Kearn, Assoc. Supt., State Office of Education introduced this presentation saying that reading is the first and most basic educational process. It has been found that children who learn to read well by the third grade do well in school while children who do not learn to read well by third grade do not have much chance to learn to read well ever. The goal of literacy plans is to map out a tract to insure success for all students. She said some great plans have been submitted by the districts and all of the

plans include student assessment, pre, post and on-going. Thirty-six to forty of the schools districts and three charter schools have submitted K-3 Literacy Plans so far. Twenty-five school districts have plans for a literacy coach in every school, five district's plans include class size reduction, 22 districts include professional development plans and ten have summer programs. One district is implementing a pre-school program.

Rep. Morgan inquired what plans are in place school by school not just by district and asked how she could get this information by school since schools vary greatly within districts. Supt. Harrington responded they are working with a trend line and just as they expect districts to submit plans, districts expect each school to have an improvement plan.

Co-chair Bigelow reminded that at some point, the Legislature will look for data showing how the schools' improvement programs have worked.

School Trust Land Funds - Distribution and Use of the Funds

Co-Chair Bigelow suggested this presentation be held for a future meeting since time was gone.

Mr. Massey introduced a new analyst in their office, Ivan Djambov, who will be working with natural resources.

MOTION: Sen. Blackham made a motion to adjourn the meeting. The motion passed unanimously.

The meeting adjourned 3:00 p.m.

Minutes reported by Lynette Erickson.

Handouts:

1. Federal Assistance Applications Requiring Legislative Action
2. FY06 Budget Impact for the Change in Federal Medical Assistance Percentage
3. Homeland Security in the state of Utah
4. Department of Health Organizational Chart
5. SB 51 - Online Testing Projections - Spring 2005 (blue)
6. SB 51 Allocations to Districts and Charter Schools